

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/749,583 Confirmation No.: 2709
Applicant : Daryl Carvis. Cromer et al.
Filed : 12/31/2003
Title : REMOTE MANAGEMENT OF BOOT APPLICATION
Art Unit : 2435
Examiner : Nirav B Patel
Docket No. : RPS920030220US1(4036)
Customer No. : 45670

Mail Stop AF
Commission for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated August 14, 2009 of the Examiner rejecting claims 1-7, 12-18, 38-41, and 48-50.

The item(s) checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R § 1.17(e):

 X a. other than small entity: Fee \$ 540.00

 b. small entity: Fee \$ 270.00

 verified statement attached

 verified statement was filed .

_____ A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection was filed on _____ along with authorization to charge (\$60.00) for the fee for the extension of time and this notice of appeal is being filed within that extension period.

_____ A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with authorization to charge (\$60.00) to credit card, Form PTO-2038 Credit Card Payment Form, for the fee for the extension of time.

_____ Enclosed is a check in the amount of \$ _____ for the Notice of Appeal fee.

_____ Please charge the Notice of Appeal fee to credit card.

 X If any additional fee is required, please charge Deposit Account No. 500563.

If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference at (512) 243-5936.

Respectfully submitted,

October 14, 2009

/Jeffrey S Schubert/

Date

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